

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

DAVID W. MARKWOOD)	
)	
v.)	NO. 2:03-CV-323
)	
DARRELL GREENE, SR., <i>ET AL.</i>)	

ORDER

This Section 1983 matter is before the Court to address a motion for partial stay pursuant to the Service Members Civil Relief Act filed by the defendant Steve Wheat in his personal capacity because he has reported for active military duty. The Town of Jonesborough, Craig Ford, in his official capacity, and Steve Wheat, in his official capacity, have also filed a motion to stay.

It is hereby **ORDERED** that these motions are **GRANTED**, and that the trial of this cause on February 22, 2005 and the final pretrial scheduled for February 11, 2005 are cancelled. [Docs. 38 and 43]. All the other presently scheduled dates in this matter are cancelled and all dates will be reset at such

time as the defendant Steve Wheat returns to this district. However, at the request of the parties, the Court will not stay its ruling on the motions for summary judgment which are presently pending.

The defendants are also hereby **ORDERED** to report on the status of the defendant Steve Wheat on or before January 5, 2006.

ENTER :

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE